

BEFORE THE SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-6-408X

BURLINGTON NORTHERN & SANTA FE RAILWAY CO.

ABANDONMENT EXEMPTION
HAMILTON and MERRICK COUNTIES, NEBRASKA

WITHDRAWAL OF
NOTICE OF INTENT TO FILE
OFFER OF FINANCIAL ASSISTANANCE

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Dated: May 10, 2004.

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-6-408X

ABANDONMENT OF A LINE OF RAILROAD
BETWEEN AURORA AND CENTRAL CITY, NEBRASKA

WITHDRAWAL OF
NOTICE OF INTENT TO FILE
OFFER OF FINANCIAL ASSISTANCE

To the Secretary of the Board:

Pursuant to the Surface Transportation Board Notice of Exemption filed March 2, 2004, The Garden City Western Railway, Inc. ("GCW") filed a Notice of Intent to File an Offer of Financial Assistance ("OFA") under 49 CFR 1152.27. The OFA is to purchase all of the Burlington Northern & Santa Fe Railway ("BNSF") rail line between Aurora and Central City, Nebraska, being approximately MP 1.90, near Aurora to approximately MP 17.50, near Central City, a distance of approximately 15.60 miles.

BNSF advised GCW that it did not have available the information requested pursuant to 49 CFR 1152.27 (a) including the minimum purchase price required to acquire the line, and related information. The Board extended the deadline for filing of an OFA, but, to date, GCW has not received any information. BNSF did file, on or about April 30, 2004, a Motion to Amend Notice of Exemption, to remove a 2.47 mile segment from the abandonment, for the purpose of storing empty railcars.

After further discussions with BNSF, it has been determined that pursuing this OFA is not in the best interests of either BNSF or GCW. Therefore, CGW hereby withdraws its Notice of Intent to File an Offer of Financial Assistance as to this line.

Respectfully submitted,

Daniel A. LaKemper, Esq.
General Counsel
The Garden City Western Railway, Inc.
Peoria, Illinois 61607
Tel.: (309) 697-1400

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing instrument was served by United States Mail, first class, postage fully pre-paid, this 10th. day of May, 2004 upon:

Michael Smith
Freeborn & Peters
311 S. Wacker Drive, Suite 3000
Chicago, Illinois 60606
